

**REGULAR CITY COUNCIL MEETING
FRISCO MUNICIPAL COMPLEX
8750 MCKINNEY ROAD
COUNCIL CHAMBERS
FRISCO, TEXAS 75034
5:30 P.M.**

May 20, 2003

MINUTES

1. Call to Order.

Mayor Simpson called the Meeting to order at 5:30 pm and announced that a quorum was present.

Those present were:

Mayor Simpson
Deputy Mayor Pro-Tem Maso
Council member Allen
Council member Lafata
Council member West
Council member Joyner
Council member Felker

Staff present were:

City Manager George Purefoy
Deputy City Manager Henry Hill
Assistant City Manager Scott Young
Assistant City Manager Jason Gray
City Secretary Nan Parker
City Attorney Richard Abernathy
Cissy Silo, Director of Engineering Services
Director of Planning & Development Services John Lettelleir

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit:

Council member Lafata moved to recess into Closed Session at 5:30 p.m. Deputy Mayor Pro-Tem Maso seconded the Motion. Motion carried. Vote: 4-0.

Mayor Simpson announced the Council was in Closed Session at 5:30 p.m. as authorized by the Local Government Code, to wit:

- a) Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.
- b) Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:
 - i. south of Eldorado Parkway, north of Stonebrook Parkway, east of Teel Parkway, and west of SH 289.
 - ii. south of FM 3537, north of Rolater Road, east of Preston Road, and west Hillcrest Road.
- c) Section 551.071. Consultation with attorney concerning litigation – Cause No. 2003-60101-393 Vallurupalli vs. City of Frisco, Texas and the City of Frisco Board of Adjustment
- d) Section 551.071. Consultation between the City Attorney and City Council where the duty of the City Attorney to City Council pursuant to the Code of Professional Responsibilities of the State Bar of Texas clearly conflicts with the Open Meetings Act regarding the sign ordinance.
- e) Section 551.074. Evaluation of City Manager.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

Deputy Mayor Pro-Tem Maso moved to reconvene into Regular Session at 6:35 p.m. Council member Lafata seconded the Motion. Motion carried. Vote: 6-0.

4. Proclamations.

Mayor Simpson presented Proclamations to the following:

- Megan Crandell
- Dr. Hogan
- FISD Ice Raccoons Hockey Team
- Sandy Simpson
- Curtsinger Elementary
- Leadership Frisco V
- Nan Parker, City Secretary Week

5. Invocation.

Assistant Pastor Catherine of St. Phillips Episcopal Church led the audience in the evening prayer.

6. Pledge of Allegiance.

Children of Curtsinter Elementary School led the audience Pledge of Allegiance.

7. Consider and act upon adoption of an Ordinance canvassing the results of the manual recount of the May 3, 2003 General Election and declaring the results. (City Secretary)

City Secretary Nan Parker addressed the council regarding the manual recount of the May 3, 2003 General Election. Ms. Parker recommended that the council accept the certified results as verified by the Recount Coordinator.

Council member Joyner moved to adopt **Ordinance No. 03-05-37** therein canvassin the results of the recount of the ballots performed on May 12, 2003. Council member Lafata seconded the Motion. Motion carried. Vote: 5-0.

8. Issuance of Certificate of Election and Issuance of Oath of Office to Tony Felker, City Council Place No. 1.

Mayor Simpson issued the Certificate of Election to Tony Felker. Upon issuance of the Certificate of Election, Mayor Simpson issued the Oath of Office for City Council, Place No. 1.

9. Drawing of lots to determine length of terms for City Council Places 1, 3, and 5. (City Secretary)

The newly elected council members drew for length of terms for City Council Places 1,3 and 5 with the following results:

Council member West – 3 years
Council member Joyner – 2 years
Council member Felker - 3 years

10. Consider and act upon the election of Mayor Pro Tem. (City Secretary)

Council member Lafata nominated Deputy Mayor Pro-Tem Maso for Mayor Pro-Tem. Council member Allen moved that nominations cease. Council member Lafata seconded the Motion. Motion carried. Vote: 6-0. Deputy Mayor Pro-Tem Maso was appointed by acclamation.

11. Consider and act upon the election of Deputy Mayor Pro Tem. (City Secretary)

Council member Joyner nominated Council member Lafata for Deputy Mayor Pro-Tem. Council member West nominated Council member Allen for Deputy Mayor Pro-Tem.

Council member West moved that nominations cease. Council member Lafata seconded the Motion. Motion carried. Vote: 6-0.

Those voting for were: Council member Lafata, Mayor Pro-Tem Maso, Council member Joyner and Council member Felker. Those against: Council member West and Council member Allen. Council member Lafata was elected Deputy Mayor Pro-Tem. Motion carried. Vote: 4-2.

12. Citizen Input. (To begin approximately at 7:30 p.m.)

Audie Atkins was present to address the Council regarding the new membership drive for Leadership Frisco.

Toni Watson was present to address the Council regarding Hackberry Road. She stated that city has placed reflectors on the road and she requested that the city repair the potholes in the road. She also requested that Boyd Road have reflectors placed on the road.

Mark Pitts stated that FM 423 and FM 720 is “nightmare” with the traffic in the evenings.

13. Reports.

a) Collin County Children’s Advocacy Center Presentation

Jane Donovan, Public relations Officer from the Collin County Advocacy Center was present to update the Council on the services provided by the center for victims of child abuse and domestic abuse. She invited the Mayor and Council and all citizens of Frisco to visit the center in Plano.

b) Operation Clean Sweep Presentation (Recycling Department)

Pippa Couvillion, Director of Recycling updated the Council on the Operation Clean Sweep and recognized those that had given monetarily and those that had worked during Operation Clean Sweep.

c) Financial Monthly Report (Administrative Services)

Council member Allen asked if there is planned discussion at the June work session regarding a “set aside fund”. Ms. Lange stated the staff is working on the issue now for presentation in June.

d) Public Works Monthly Report

Council member Allen noticed on occasion that city trucks are left running without an individual in the vehicle. He requested that city employees turn off the vehicles when leaving them to help save on fuel costs.

e) Project Status Tracking Reports

The Council discussed the filling of the IT Position. Assistant City Manager Jason Gray stated that Staff is still in the interview process.

14. Consent Agenda

The Consent Agenda was considered for approval.

Council member Joyner moved to pull item A for separate discussion. Mayor Pro-Tem Maso seconded the Motion. Motion carried. Vote: 6-0. Council member Felker to pull item B for separate discussion. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

Council member Allen moved to approve C & D. Council member West seconded the Motion. Motion carried. Vote: 6-0.

A) Approval of the Minutes of the May 7, 2003 Regular City Council Election. (City Secretary)

Council member Joyner moved to approve the minutes subject to changes in the May 7, 2003 Minutes reflecting who made the motions on Items No. 24 and Item No. 25. Council member West seconded the Motion. Motion carried. Vote: 6-0.

B) Consider and act upon a Resolution authorizing the City Manager to execute a Contract for Depository Services. (Administrative Services)

Council member Felker moved to adopt **Resolution No. 03-05-104R** therein approving the Legacy Bank as the depository services for 2003-2005. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

C) Review and accept the Quarterly Investment Report. (Administrative Services)

D) Adoption of Resolution No. 03-05-105R therein authorizing the City Manager to enter into Materials Exchange Agreements with Other Public Libraries. (Library)

END OF CONSENT AGENDA

15. Legislative Agenda

Mayor Pro-Tem Maso moved to adopt **Ordinance No. 03-05-38** therein rezoning 40.1± acres at the southeast corner of U.S. Highway 380 and future Legacy

Drive from Agricultural to Highway. Neighborhood #53. Applicant(s): Red Elk Partnership Fund, Ltd.. Zoning Case Z02-0030 (Planning & Development). Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

Regular Agenda:

16. Presentation by Carter-Burgess regarding the potential location of the Recreation and Aquatic Facility. (Parks Department)

Director of Parks & Recreation Rick Wieland introduced representatives from Carter-Burgess. Representative of Carter-Burgess was present to discuss the potential location of the Recreation and Aquatic Facility. Mayor Simpson asked if the Parks & Recreation Board and the Frisco CDC board members had seen the presentation.

Lengthy discussion regarding the location of the aquatic center. Mr. Purefoy stated if the council felt that the Southeast Park is where the council was going to recommend the placement of the park, then let the staff place it on the next agenda for approval.

Mr. Purefoy stated in his opinion that the southeast park is not the best location for the recreation center due to lack of infrastructure, roads and other improvements. He (Purefoy) stated that he was not trying to talk the council out of choosing the Southeast Park but stated that he feels that it is not the best location based on the growth properties.

Mayor Simpson stated that if the Council is going to choose to build the park in the Southeast Park they should be able to explain why there is not access or infrastructure to the site.

When questioned, Rick Wieland stated that he supported the consultants' recommendation to put the (recreation) center in the center part of town.

Mr. Purefoy requested the council allow the staff to take their recommendations to place the park in the southeast park, explore all avenues and bring back information before the finalization of the site selection.

17. Public Hearing: Voluntary Annexation Case A03-0016 – Second public hearing for citizen input regarding the voluntary annexation of 361.8+/- acres on the south side of US 380, 2300+/- feet east of Preston Road. Applicant(s): Preston 380/153 Joint Venture (Planning & Development)

Council member Allen moved to open the Public Hearing. Council member West seconded the Motion. Motion carried. Vote: 6-0.

There being no one else present to speak for or against the request, Council member Felker moved to close the Public Hearing. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

Mr. Abernathy stated the property is located within the ETJ of the City of Frisco and is contiguous to the existing city limits, making it eligible for annexation. He stated the Service Plan was available for public inspection.

18. Public Hearing: Specific Use Permit SUP03-0004. A request for a Specific Use Permit for a Child Day Care Center on 1.1± acres on the south side of Stonebrook Parkway, 100± feet east of Oakbrook Drive. Zoned Commercial-1. Neighborhood #23. Applicant(s): Apple Creek Private School (Planning)

Council member West moved to open the Public Hearing. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 5-0.

Council member Allen stepped down from the table for a brief time (no conflict of interest or negative vote)

There being no one else present to speak for or against the request, Council member West moved to close the Public Hearing. Council member Felker seconded the Motion. Motion carried. Vote: 5-0.

Council member Felker moved to approve the request. Council member Joyner seconded the Motion. Motion carried. Vote: 5-0.

Council member Allen returned to the table.

19. Public Hearing: Zoning Case Z03-0012. A request to rezone 21.5± acres on the west side of Custer Road, 2,150+ feet south of Eldorado Parkway from Agricultural to Planned Development-Single Family-1. Requested Specific Use Permit for a Child Day Care Center. Neighborhood #15. Applicant(s): 2478 Partnership (Planning)

Director of Planning & Development John Lettelleir was present to address the Council. He stated that staff recommended the road stubbed to the north be for emergency access only.

Council member West moved to open the Public Hearing. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

There being no one else present to speak for or against the request, Deputy Mayor Pro-Tem Lafata moved to close the Public Hearing. Council member Felker seconded the Motion. Motion carried. Vote: 6-0.

Clint Richardson, Carter & Burgess, stated that the applicant would not allow for lighted fields.

Following discussion, Council member Felker moved to approve the request subject to:

1. Staff approval of a tree survey.
2. Staff approval of a landscape plan.
3. Staff approval of a façade plan.
4. Approval of the final plat with additions and/or alterations to the engineering plans as required by the Engineering Department.
5. Final adoption of the Ordinance.

Council member West seconded the Motion. Motion carried. Vote: 6-0.

20. Public Hearing: Specific Use Permit SUP03-0003. A request for a Specific Use Permit for a Child Day Care Center on 8.1± acres on the west side of Custer Road, 640+ feet south of Stonebridge Drive. Zoned Agricultural. Requested zoning is Planned Development-Single-Family-1, Neighborhood #15. Applicant(s): Little Red Wagon Private School (Planning)

Director of Planning John Lettelleir stated the applicant requested the item be tabled until the June 17, 2003 Regular Meeting.

Mayor Pro-Tem Maso moved to open the Public Hearing. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

There being no one else present to speak for or against the request, Mayor Pro-Tem Maso moved to **continue the public hearing** until June 17, 2003. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

21. Public Hearing: Specific Use Permit SUP03-0005. A request for a Specific Use Permit for a Child Day Care Center on 2.2+ acres 1,000+ feet west of Teel Parkway, 300+ feet north of Main Street. Zoned Commercial-1.

Neighborhood #44. Applicant(s): Children's Development Resources, Inc. (Planning)

Council member West moved to open the Public Hearing. Council member Felker seconded the Motion. Motion carried. Vote: 6-0.

There being no one else present to speak for or against the request, Council member Felker moved to close the Public Hearing. Council member West seconded the Motion. Motion carried. Vote: 6-0.

Following discussion, Deputy Mayor Pro-Tem Lafata moved to approve the SUP subject to staff's recommendation and adoption of the ordinance. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

22. Public Hearing: Zoning Case Z03-0011. A request to rezone 0.6± acre located on the south side of Wade Boulevard. 1.150± feet east of Parkwood Boulevard from Planned Development-79-Single Family to Planned Development-78-Multifamily-1 and 1.0± acre located on the north side of Wade Boulevard. 1.275± feet east of Parkwood Boulevard from Commercial-2 to Planned Development-79-Single Family. Neighborhood #23. Applicant(s): Rudman Partnership (Planning)

Director of Planning and Development John Lettelleir was to update the council on the Planning & Zoning Commission's recommendations and the staff's recommendations.

Deputy Mayor Pro-Tem Lafata moved to open the Public Hearing. Council member Felker seconded the Motion. Motion carried. Vote: 6-0.

Trey Sibley, the Rudman Partnership, was present to speak in favor of the request.

Deputy Mayor Pro-Tem Lafata moved to close the Public Hearing. Council member West seconded the Motion. Motion carried. Vote: 6-0.

Mr. Purefoy stated that the alignment of Wade Blvd. was done at the City's request and the property owners worked with the City to realign Wade Blvd.

Council member Joyner moved to approve. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

23. Discussion regarding Alternative Subdivision Design. (City Council/BA)

Discussion only, no formal action was taken. Public Hearing still scheduled until the June 17, 2003 Regular Council Meeting.

24. Discussion regarding Garage Sale Signs and staff direction from council. (Building Inspections)

Donnie Mayfield was present to address the council requesting their direction on enforcement of garage sale signs. The Council (unanimously) gave staff the direction to enforce the sign ordinance as written.

25. Consider and act upon authorization of settlement negotiations with adjacent landowners regarding acquisition of a drainage easement for property located north of SH 121 and west of Coit Road. (City Manager's Office/SY)

Assistant City Manager Scott Young was present to address the Council regarding authorization of settlement negotiations with Chang Su-O Lin for the acquisition of a permanent drainage easement for Tenent Hospital. The property is located on the northwest side of SH 121; south side of Lebanon Road, approximately 1500' southwest of Coit Road. Mr. Young presented the Council with an appraisal with a total market value of \$4,555.00.

Mr. Young stated that he brought the appraisal to the council in order to begin the first step to acquire the easement.

Council member Allen moved to authorize staff to move forward with the negotiations for the permanent drainage easement. Council member West seconded the Motion. Motion carried. Vote: 6-0.

26. Consider and act upon approval of Change Order Number 1 to Main Street. Phase 3 in the amount of \$64,890.00 to Site Concrete for additional water line improvements at the intersection of Dr. Pink and Main Street. (Engineering)

Frank Jaromin, City Engineer stated the Church of Christ on Main Street has completed the construction and are ready to occupy the building but cannot without the sprinkler system installed. He (Jaromin) stated the Change Order No. 1 was for the additional water line improvements at the intersection of Dr. Pink and Main Street. By approving the Change Order, the waterline may be installed and the church can receive their Certificate of Occupancy.

Frank Jaromin, City Engineer was present to address the council requesting their approval of Change Order No. 1 to Main Street, Phase 3 in the maximum amount of \$64,890.00 to Site Concrete for additional water line improvements at the intersection of Dr. Pink and Main Street.

Council member Allen moved to approve Change Order No. 1 to Main Street, Phase 3 not to exceed \$64,890.00 to Site Concrete for additional water line improvements at the intersection of Dr. Pink and Main Street. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

27. Consider and act upon approval of Change Order Number 1 in the amount of \$16,200.00 to Wier Associates for additional Design Services for Signal Modifications associated with the Dallas Parkway U-Turn Lane Project for two intersections. (Engineering)

Following discussion Deputy Mayor Pro-Tem Lafata moved to approve the Change Order Number 1 to Wier Associates for \$16,200.00 for additional Design Services for Signal Modifications associated with the Dallas Parkway U-turn Lane Project. Mayor Pro-Tem Maso seconded the Motion. Motion carried. Vote: 6-0.

28. Consider and act upon approval of a Resolution authorizing the City Manager to enter into an Agreement with RLK Engineering in the amount of \$40,550.00 for the Design of Ohio Drive between Prestmont Place and Lebanon Road. (Engineering)

Council member Felker moved to table the item until June 3 2003. Council member West seconded the Motion. Motion carried. Vote: 6-0.

29. Consider and act upon approval of a Resolution authorizing the City Manager to enter into an Agreement with HDR Engineering in the amount of \$89,000.00 for the Design of Teel Parkway between Main Street and FM 2934. (Engineering)

Council member West moved to adopt **Resolution No. 03-05-106R** therein authorizing the City Manager to enter into an Agreement with HDR Engineering for \$89,000.00 for the Design of Teel Parkway between Main Street and FM 2934. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

30. Consider and act upon adoption of a Resolution authorizing the City Manager to enter into an Agreement for Engineering and Design Surveying Services with Wier and Associates, Inc., for the Design of Teel Parkway between Timber Ridge Drive and Main Street. (Engineering)

Council member Allen moved to adopt **Resolution No. 03-05-107R** therein authorizing the City Manager to enter into an Agreement for Engineering and Design Surveying Services with Wier and Associates, Inc., for the Design of Teel Parkway between Timber Ridge Drive and Main Street. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

31. Appointments to Public Improvement District Number One (Panther Creek, Joint Venture) Board. (City Secretary)

Mayor Pro-Tem Maso moved to appoint Council member Joyner and Council member Felker to serve on the PID Board No. 1. Council member West seconded the Motion. Motion carried. Vote: 6-0.

32. Appointments to Tax Increment Reinvestment Zone Number One Fund Board. (City Secretary)

Council member Felker moved to appoint the Mayor and Council to the TIRZ #1. Council member West seconded the Motion. Motion carried. Vote: 6-0.

33. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Impact Fee Agreement by and between the City of Frisco and Frisco Legacy, Ltd. Tabled 05/07/03 (City Manager's Office/SY)

Council member West moved to **table** the item until June 3, 2003. Council member Felker seconded the Motion. Motion carried. Vote: 6-0.

34. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a submitted A.I.A. Document A121/CMc-a for "Construction Manager at Risk" Services by and between the City of Frisco and Thomas S. Byrne, Ltd. General Contractors for the "General Conditions" in the amount of \$610,115.00 and "Fee" of 4.25% of the total estimated project construction cost of \$7,325,000.00 for the City of Frisco Public Works Facility. (City Manager's Office/BRJ)

Deputy Mayor Pro-Tem Lafata moved to **table** the item until the June 3, 2003 Meeting. Council member Felker seconded the Motion. Motion carried. Vote: 6-0.

35. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Consulting Services Agreement by and between the City of Frisco and GGO Architects in the amount of \$26,500.00 for an Independent "L.E.E.D.S. Certificate and Commissioning" Services during the design and construction of the City of Frisco - Public Works Facility. (City Manager's Office/BRJ)

Council member Allen moved to **table** the item until the June 3, 2003 meeting. Council member West seconded the Motion. Motion carried. Vote: 6-0.

36. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Consulting Services Agreement by and between the City of Frisco and ROOF-TECH in the amount of \$14,550.00 for independent "Roof and Water Proofing Consulting" Services during the design and construction of the City of Frisco – Public Works Facility. (City Manager's Office/BRJ)

Council member West moved to **table** the item until the June 3, 2003. Council member Allen seconded the Motion. Motion carried. Vote: 6-0.

37. Master Development Agreement (City Manager's Office/SY)

Council member West moved to **table** the item until the June 3, 2003 Meeting. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

38. Parking Facility Agreement (City Manager's Office/SY)

Council member West moved to **table** the item until the June 3, 2003 Meeting. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

39. Conference Center Agreement (City Manager's Office/SY)

Council member West moved to **table** the item until the June 3, 2003 Meeting. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

40. Sale of Certificates of Obligation

Council member West moved to continue the item until the June 3, 2003 Regular City Council Meeting, 8750 McKinney Road, Frisco, Texas beginning at 6:30 pm. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

a) Consider and Act Upon An Ordinance Authorizing the Issuance and Sale of City of Frisco, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2003A, Levying an Annual Ad Valorem Tax and Providing for the Security for and Payment of Said Certificates (Administrative Services)

b) Consider and Act Upon An Ordinance Authorizing the Issuance and Sale of City of Frisco, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2003B, Levying an Annual Ad Valorem Tax and Providing for the Security for and Payment of Said Certificates (Administrative Services)

c) Consider and act upon Ordinance to Designate Payments under certain Agreements to Payment of the City's Combination Tax and Revenue Certificates of Obligation, Taxable Series 2003B. (Administrative Services)

41. Calling the Public Hearing to Consider and Act Upon An Ordinance Concerning Real Property Located Within The Panther Creek Estates Public Improvement District in the City of Frisco, Texas, as to Special Benefits to Accrue to Such Property and the Real and True Owners Thereof by Virtue of Making Certain Improvements Within the District: Finding and Determining that Each Parcel of Property Within the District will be Specially Benefitted and Enhanced in Value and Levying an Assessment for the Cost of Making Such Improvements and the Operation and Maintenance Thereof: Fixing a Charge and Lien Against all Properties Within the District and the Owners Thereof: Providing for the Manner and Method of Collection of Such Assessments (Administrative Services)

Council member West moved to open the Public Hearing. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

Carey Cobb, representing the property owner, was present to address the council regarding PID No. 1 and the improvements within the PID development.

There being no one else present to speak for or against the request, Mayor Pro-Tem Maso moved to continue to **Public Hearing until June 3, 2003**. Council member Felker seconded the Motion. Motion carried. Vote: 6-0.

42. Consider and act upon acceptance of resignation of Jim Joyner from Community Development Corporation (CDC). (City Secretary)

Council member Joyner stepped down from the table due to the "perception" of conflict of interest.

Deputy Mayor Pro-Tem Lafata moved to accept the resignation of Jim Joyner from the Community Development Corporation subject to Council member Joyner serving as Chair until his position is filled. Council member Felker seconded the Motion. Motion carried. Vote: 5-0.

43. Consider and act upon acceptance of resignation of Tony Felker from Planning and Zoning Commission. (City Secretary)

Council member Felker stepped down from the table.

Council member West moved to accept Tony Felker's letter of resignation. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 5-0.

44. Discussion of notification of Home Owner's Association and Homeowners regarding adjacent zoning and development issues. (City Manager)

The council discussed notification of homeowners associations and property owners regarding zoning and development issues.

45. Consider and act upon authorization for projects to be funded for general obligation bond sale. (City Manager)

Mr. Purefoy requested the council table the item. The item was tabled.

46. Governance Agenda

Governance Reports

47. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to the Planning & Development Department, pursuant to Article IV, Section 1.07(C) of the Comprehensive Zoning Ordinance and/or Section 4.05 of the Subdivision Regulation Ordinance, regarding action taken by the Planning & Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to the Planning & Development Department.

Discussion only, no formal action was taken.

48. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

Discussion only, no formal action was taken.

49. Discussion on Governance Monitoring of present City Council Meeting.

Mayor Pro-Tem Maso rated the council on the Governance Monitoring of the present City Council Meeting.

50. Adjourn.

There being no additional business, the meeting was adjourned at 11:00 p.m.

E. Michael Simpson, Mayor

ATTEST:

Nan Parker, City Secretary